

For Registration  
 Fredrick Smith  
 Register of Deeds  
 Mecklenburg County, NC  
 Electronically Recorded  
 2026 Feb 03 03:15 PM RE Excise Tax: \$ 0.00  
 Book: 40174 Page: 495 - 509 Fee: \$ 26.00  
 Instrument Number: 2026010514

*Fredrick Smith*

## ELEVENTH MODIFICATION OF DECLARATION OF RESTRICTIVE COVENANTS

**THIS ELEVENTH MODIFICATION OF DECLARATION OF RESTRICTIVE COVENANTS** (“**Eleventh Modification**”) is made as of January 14, 2026 (“**Effective Date**”), by **FAISON-ARROWOOD PROPERTIES LIMITED PARTNERSHIP**, a North Carolina limited partnership (“**Declarant**”), **CCP FOREST PARK, LLC**, a Virginia limited liability company (“**CCP**”), **LONGVALLEY II, LLC**, an Illinois limited liability company (“**Longvalley**”), **LESER, LLC**, a North Carolina limited liability company (“**Leser**”), **FOREST PARK V, LLC**, an Alabama limited liability company (“**FP-V**”), **FOREST PARK X, LLC**, an Alabama limited liability company (“**FP-X**”), **SCHUBERT NORTH AMERICA, LLC**, a Delaware limited liability company (“**Schubert**”), and **INVA PROPERTIES LLC**, a North Carolina limited liability company (“**Inva**”), **BAC/CB FPIV LLC**, a North Carolina limited liability company (“**FPIV**”), **LHG ARROWOOD, INC.**, a North Carolina corporation (“**LHG**”), and **POPS PROPERTIES, LLC**, a North Carolina limited liability company (“**POPS**”).

### PRELIMINARY STATEMENT

- A. Declarant has previously executed and recorded a Declaration of Restrictive Covenants (as amended, the “Declaration”) dated December 6, 1985 and recorded in Book 5141 at Page 927 in the Office of the Register of Deeds for Mecklenburg County, North Carolina (the “**Mecklenburg County Public Registry**”), which Declaration was subsequently amended by a First Modification of Declaration of Restrictive Covenants dated January 1, 1986, and recorded in Book 5162 at Page 397 in the Mecklenburg County Public Registry, a Second Modification of Declaration of Restrictive Covenants dated May 8, 1998, and recorded in Book 9681 at Page 540 in the Mecklenburg County Public Registry, a Third Modification of Declaration of Restrictive Covenants dated November 13, 1998, and recorded in Book 10040 at Page 772 in the Mecklenburg County Public Registry, a Fourth Modification of Declaration of Restrictive Covenants dated July 6, 1999, and recorded in Book 10596 at Page 809 in the Mecklenburg County Public Registry, a Fifth Modification of Declaration of Restrictive Covenants dated October 21, 1999, and recorded in Book 10866 at Page 486 in the Mecklenburg County Public Registry, a Sixth Modification of Declaration of Restrictive Covenants dated June 1, 2010, and recorded in Book 25674 at Page 512 in the Mecklenburg County Public Registry, a Seventh Modification of Declaration of Restrictive Covenants dated June 1, 2010, and recorded in Book 33268 at Page 916 in the Mecklenburg County Public Registry, an Eighth Modification of Declaration of Restrictive Covenants dated June 10, 2021, and recorded in Book 36166 at Page 448 in the Mecklenburg County Public Registry, a Ninth Modification of Declaration of Restrictive Covenants dated April 20, 2022, and recorded in Book 37268 at Page 246 in the Mecklenburg County Public Registry, and a Tenth Modification of Declaration of Restrictive Covenants (“**Tenth Modification**”) dated November 13, 2025, and recorded in Book 39999 at Page 935 in the Mecklenburg County Public Registry. All capitalized terms not otherwise defined in this Eleventh Modification shall have the meanings given to them in the Declaration, as previously amended.

Submitted electronically by "Hankin & Pack, PLLC" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Mecklenburg County Register of Deeds.

- B.** The Declaration imposes certain conditions and restrictions on the Properties, as defined in the Declaration. The Properties contain a total of 99.871 acres, disregarding the acreage of Lot 21, as defined in the Tenth Amendment, which is disregarded for voting purposes as provided in the Tenth Amendment. The Declaration provides that each Class A Member of the Association shall have one vote in the Association for each acre owned in the Properties, plus a fractional vote for each fractional acre. The Class B membership under the Declaration has terminated, so all Members are Class A Members. The total number of votes in the Association held by all Members is 99.871.
- C.** Declarant owns 5.0 acres of the Properties and holds 5.0 votes in the Association, CCP owns 10.479 acres of the Properties and holds 10.479 votes in the Association, Longvalley owns 7.76 acres of the Properties and holds 7.76 votes in the Association, Leser owns 10.407 acres of the Properties and holds 10.407 votes in the Association, FP-V owns 9.00 acres of the Properties and holds 9.00 votes in the Association, FP-X owns 9.07 acres of the Properties and holds 9.07 votes in the Association, Schubert owns 7.36 acres of the Properties and holds 7.36 votes in the Association, INVA owns 3.0 acres and holds 3.0 votes in the Association, FPIV owns 7.28 acres and holds 7.28 votes in the Association, LHG owns 3.39 acres and holds 3.39 votes in the Association, and POPS owns 2.315 acres and holds 2.315 votes in the Association.
- D.** Section 7 of Article X of the Declaration provides that the Declaration may be amended by an instrument executed by Declarant and Members holding at least two-thirds of the votes in the Association. Declarant, CCP, Longvalley, Leser, FP-V, FP-X, Schubert, INVA, FPIV, LHG and POPS (collectively the "**Parties**") hold a total of 75.061 votes in the Association, which is more than two-thirds of the votes in the Association.
- E.** The Parties wish to amend and modify the Declaration as set forth below.

NOW, THEREFORE, in consideration of the premises, the mutual covenants set forth below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties amend and modify the Declaration as follows.

1. Article VIII, Section I, on Page 7 of the Declaration, as previously amended, is further amended to permit the property described on **Exhibit A** attached hereto and incorporated by reference (the "**Housing Property**") to be used for long-term multi-family housing and supportive services for veterans of the United States military (the "**Housing Use**") from and after the date that fee simple title to the Housing Property is acquired by the Stephen Siller Tunnel to Towers Foundation or a subsidiary that is owned and controlled by Stephen Siller Tunnel to Towers Foundation (the "**Foundation**"). Housing Use of the Housing Property shall be permitted only if and so long as the Foundation owns the Housing Property. Upon any conveyance, transfer, or assignment of the Housing Property by the Foundation to another person or entity, or if the Foundation does not acquire fee simple title to the Housing Property on or before March 31, 2026, Housing Use of the Housing Property shall not be permitted, and this Section 1 of this Eleventh Modification shall be of no further force or effect.

2. Except as expressly amended hereby, the Declaration shall remain in full force and effect and is hereby ratified and confirmed. The Housing Property shall be subject to all of the restrictions, covenants and other requirements of the Declaration, as amended hereby.

3. This Eleventh Modification may be executed in multiple counterparts which, when assembled, shall constitute one original.

[Signatures begin on next page]

**Exhibit A**

**BEING all of Lot 13, containing approximately 3.39 acres, as more particularly shown on that certain plat entitled "Final Plat of Lot 13, Forest Park Phase Three-Map 2," prepared by F. Donald Lawrence & Associates, P.A., and recorded in Map Book 30, Page 213 in the Mecklenburg County Public Registry, to which plat reference is made for a more particular description of Lot 13.**

IN WITNESS WHEREOF, the Parties have executed this Eleventh Modification as of the Effective Date.

**DECLARANT:**

**FAISON-ARROWOOD PROPERTIES  
LIMITED PARTNERSHIP**

By: Faison-Charlotte Properties NC, LLLP, a North Carolina limited liability partnership, its general partner

By: Faison & Associates, LLC, a North Carolina limited liability company, partner

By: Chris M. Poplin  
Print Name: Chris M. Poplin  
Print Title: Vice President

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

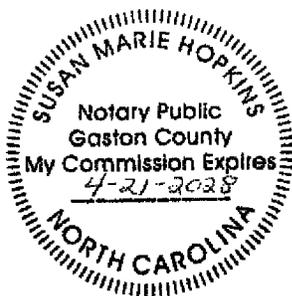
(insert name(s) of those signing): Chris M. Poplin

Date: 11/20, 2025

Official Signature of Notary: Susan Marie Hopkins  
Notary's printed or typed name: Susan Marie Hopkins

My commission expires: 4/21/2028

(Official Seal)



[Signatures Continue on Next Page]

CCP:

CCP FOREST PARK, LLC,  
a Virginia limited liability company

By:

Name: Jeremy R. McLendon

Title: Managing Member

STATE OF Virginia  
COUNTY OF Virginia Beach

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

(insert name(s) of those signing): Jeremy R. McLendon

Date: Dec. 4th, 2025

Official Signature of Notary: [Signature]

Notary's printed or typed name: Natali Engram

My commission expires: 9/30/27

(Official Seal)



[Signatures Continue on Next Page]

**Longvalley:**

**LONGVALLEY II, LLC,**  
an Illinois limited liability company

By: KA Hoogland  
Name: Keith A Hoogland  
Title: Manager

STATE OF IL  
COUNTY OF Cook

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

(insert name(s) of those signing): Keith A. Hoogland

Date: Jan 14, 2026

Official Signature of Notary: Heather Hanrahan  
Notary's printed or typed name: Heather Hanrahan

My commission expires: 9/4/26

(Official Seal)



[Signatures Continue on Next Page]

**Leser:**

**LESER, LLC.**

a North Carolina limited liability company

By: [Signature]

Name: Brian Carlson

Title: Director of Operations

STATE OF North Carolina  
COUNTY OF mecklenburg

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

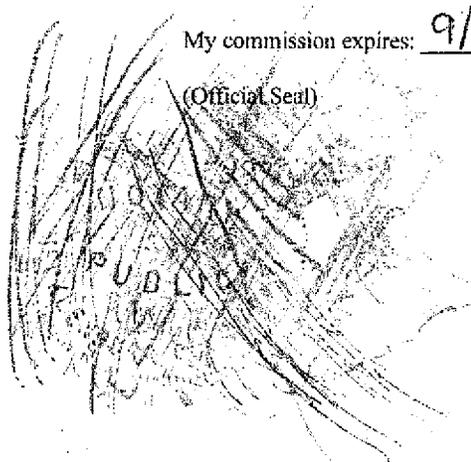
(insert name(s) of those signing): Brian Carlson

Date: 11/20, 2025

Official Signature of Notary: [Signature]  
Notary's printed or typed name: Paige C. Patisca

My commission expires: 9/20/2028

(Official Seal)



[Signatures Continue on Next Page]

**FP-V:**

**FOREST PARK V, LLC,**  
an Alabama limited liability company

By: The Thompson Development Company, Inc.,  
an Alabama corporation, its Manager

By: [Signature]  
Name: C. Greg Cherry  
Title: U.P.

STATE OF Alabama  
COUNTY OF Jefferson

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

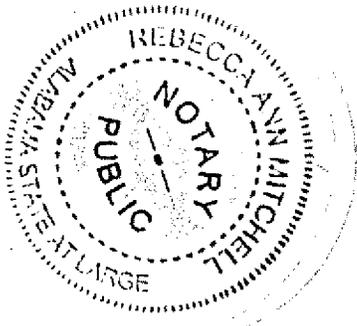
(insert name(s) of those signing): C. Greg Cherry

Date: January 5, 2026

Official Signature of Notary: [Signature]  
Notary's printed or typed name: REBECCA ANN MITCHELL

My commission expires: 8/30/26

(Official Seal)



[Signatures Continue on Next Page]

**FP-X:**

**FOREST PARK X, LLC,**  
an Alabama limited liability company

By: The Thompson Development Company, Inc.,  
an Alabama corporation, its Manager

By: *[Signature]*  
Name: L. GREG CUMMINS  
Title: V.P.

STATE OF Alabama  
COUNTY OF TALLENTORE

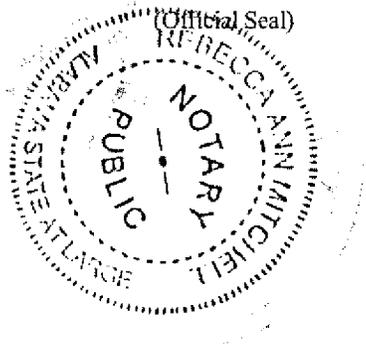
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

(insert name(s) of those signing): C. Greg Cummins

Date: January 5, 2025

Official Signature of Notary: *[Signature]*  
Notary's printed or typed name: REBECCA ANN MITCHELL

My commission expires: 6/30/26



[Signatures Continue on Next Page]

INVA:

**INVA PROPERTIES LLC,**  
a North Carolina limited liability company

By: [Signature]  
Name: Douglas Alvarenga  
Title: CEO

STATE OF North Carolina  
COUNTY OF Mecklenburg

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

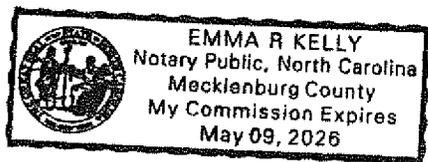
(insert name(s) of those signing): Douglas Alvarenga

Date: October 16, 2025

Official Signature of Notary: [Signature]  
Notary's printed or typed name: Emma R Kelly

My commission expires: May 9, 2026

(Official Seal)



Schubert:

SCHUBERT NORTH AMERICA, LLC,  
a Delaware limited liability company

By: H. Siegel  
Name: Hartmut SIEGEL  
Title: CEO

STATE OF North Carolina  
COUNTY OF Mecklenburg

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

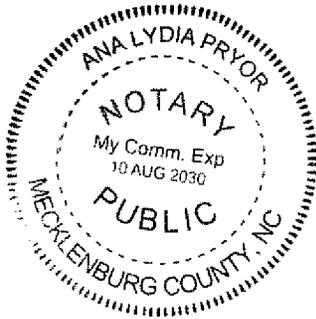
(insert name(s) of those signing): Hartmut Siegel

Date: Nov. 18, 2025

Official Signature of Notary: [Signature]  
Notary's printed or typed name: Ana Lydia Pryor

My commission expires: Aug 10, 2030

(Official Seal)



[Signatures Continue on Next Page]

**FPIV:**

**BAC/CB FPIV LLC,**  
a North Carolina limited liability company

By: [Signature]  
Name: Colin Gillespie  
Title: Manager

STATE OF Massachusetts  
COUNTY OF Essex

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

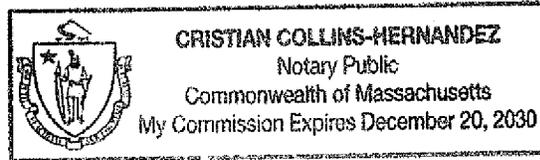
(insert name(s) of those signing): **COLIN GILLESPIE**

Date: 12/3, 2025

Official Signature of Notary: [Signature]  
Notary's printed or typed name: Cristian Collins Hernandez

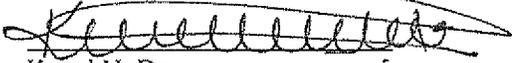
My commission expires: 12/20/2030

(Official Seal)



**LHG:**

**LHG ARROWOOD, INC.,**  
a North Carolina corporation

By:   
Name: Kunal H. Dave  
Title: President

STATE OF South Carolina  
COUNTY OF York

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

(insert name(s) of those signing): **KUNAL H. DAVE**

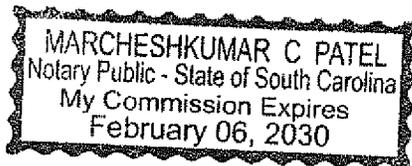
Date: December 1<sup>st</sup>, 2025

Official Signature of Notary:

Notary's printed or typed name: Marcheshkumar Patel

My commission expires: 2/6/2030

(Official Seal)



**POPS:**

**POPS PROPERTIES, LLC,**  
a North Carolina limited liability company

By: *Paul Kakouras*  
Name: Paul Kakouras  
Title: President

STATE OF NC  
COUNTY OF Mecklenburg

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

(insert name(s) of those signing): Paul Kakouras

Date: December 3, 2025

Official Signature of Notary: *Emma R Kelly*  
Notary's printed or typed name: Emma R Kelly

My commission expires: May 9, 2026

(Official Seal)

